



PUBLIC NOTICE

Federal Communications Commission
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DA 11-1416
Released: August 16, 2011

COMMENTS INVITED ON APPLICATION OF CISCO WEBEX LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 11-135
Comp. Pol. File No. 1002

MAILED

Comments Due: August 31, 2011

AUG 19 2011

FCC Mail Room

Section 214 Application
Applicant: Cisco WebEx LLC

On July 12, 2011, Cisco WebEx LLC (WebEx or Applicant), located at 3979 Freedom Circle, Santa Clara, CA 95054, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of a certain domestic telecommunications service throughout the United States and the District of Columbia (collectively Service Areas).¹ By an amendment filed August 11, 2011, WebEx provided additional requested information regarding the affected service and planned discontinuance. Accordingly, WebEx's application is deemed complete as of August 11, 2011.

WebEx indicates that it currently offers WebOffice Audio Conferencing service in the Service Areas. WebEx describes this service as an audio bridging service that complements WebEx's WebOffice product and allows WebOffice users to conduct traditional conference calls with as many as 25 participants. WebEx explains that its WebOffice Audio Conferencing service is the same as the Audio Conferencing service it received authority to discontinue in WC Docket No. 10-137, except that customers obtain its WebOffice Audio Conferencing service in conjunction with WebEx's WebOffice suite of services and the size of conference calls with this offering are limited to 25 participants rather than the 500 participants described in the previous application.² WebEx maintains that, in the process of communicating with customers and prior to discontinuing service pursuant to its earlier application, WebEx discovered that it had not provided approximately 200 customers with the required discontinuance notices. Accordingly, WebEx states that it now seeks to discontinue WebOffice Audio Conferencing service to these remaining customers on or after September 19, 2011, subject to regulatory approval. WebEx asserts that the public convenience and necessity will not be adversely affected by the

¹ This application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on August 4, 2011.

² See Letter from Brita D. Strandberg, Counsel at Wiltshire & Grannis LLP for WebEx, to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Aug. 11, 2011). WebEx indicates that its prior application was filed under its former name, WebEx Communications, Inc. *Id.* See also *Comments Invited on Application of WebEx Communications, Inc. to Discontinue Domestic Telecommunications Services*, Public Notice, WC Docket No. 10-137, DA 10-1314 (rel. July 14, 2010).

proposed discontinuance because customers have been given notice that affords them ample opportunity to acquire reasonable substitute service which is readily available from other providers. WebEx indicates that it notified affected customers of the proposed discontinuance by delivering written notice to customers electronically no later than July 5, 2011. WebEx asserts that this was the most effective method of delivery for this critical customer communication because this is its established channel of communication with customers. WebEx explains that it delivers all material customer communications, including invoices and information about service changes, using this method. WebEx acknowledges that it is considered non-dominant with respect to the service to be discontinued.

We seek comment on WebEx's proposed discontinuance of service, including the steps it has taken to notify customers, given the particular circumstances in this case and in light of the notification procedures prescribed in section 63.71(a) of the Commission's rules. In accordance with section 63.71(c) of the Commission's rules, WebEx's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies WebEx that the grant will not be automatically effective. In the application and customer notice, WebEx indicates that it plans to discontinue the affected service in the Service Areas on or after September 19, 2011, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of WebEx's application and notice, absent further Commission action, WebEx may cease to provide WebOffice Audio Conferencing service in the Service Areas on or after **September 19, 2011**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **August 31, 2011**. Such comments should refer to **WC Docket No. 11-135 and Comp. Pol. File No. 1002**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the

Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Kimberly Jackson, (202) 418-7393 (voice), kimberly.jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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